

Message Text

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51

ACTION SCSE-00

INFO OCT-01 ARA-10 ISO-00 SCA-01 EA-10 DODE-00 SY-04

CIAE-00 INR-07 FBIE-00 JUSE-00 PPTE-00 L-02 H-02

NSAE-00 NSC-05 /042 W

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R 161220Z DEC 74

FM AMEMBASSY SANTO DOMINGO

TO SECSTATE WASHDC 2264

UNCLAS SANTO DOMINGO 5096

E.O. 11652: N/A

TAGS: CGEN, CVIS, CASC, CPAS

SUBJECT: CLEMENCY PROGRAM FOR VIETNAM ERA DRAFT EVADERS AND MILITARY

DESERTERS

REF: DEPT A-7591, OCTOBER 15, 1974 AND PREVIOUS

1. SOCRATES DE JESUS DIAZ MIRANDA HAS APPLIED FOR RETURN TO THE UNITED

STATES UNDER SUBJECT PROGRAM. DIAZ POSSESSES ALIEN REGISTRATION
RECEIPT

CARD SHOWING HE WAS ADMITTED TO THE U.S. AT NEW YORK CITY ON APRIL 19,

1964 AS AN O-1. IT SHOWS HIS DATE OF BIRTH AS [Sensitive Information Removed Per NARA 5 September 2013]. HE
STATES HE WAS BORN IN SANTO DOMINGO.

2. ACCORDING TO DIAZ, HE WAS DRAFTED INTO THE ARMY IN OCTOBER 1967.

ON JUNE 21, 1968 HE DEPARTED THE U.S. FOR THE DOMINICAN REPUBLIC WITH-
OUT

AUTHORIZED LEAVE BECAUSE OF THE ILLNESS OF HIS GRANDFATHER. HE CLAIMS

THAT HE CALLED AT THE DEFENSE ATTACHE'S OFFICE AT THIS EMBASSY IN 1970

AT WHICH TIME THE MILITARY ATTACHE RETAINED HIS MILITARY ID CARD. THE

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ATTACHE'S OFFICE CANNOT VERIFY THIS CLAIM.

3. SUBJECT WAS ADVISED TO CONTACT MILITARY AUTHORITIES AT FORT BENJAMIN HARRISON, INDIANA. HE RECEIVED A LETTER DATED NOVEMBER 21, 1974 SIGNED

BY COLONEL NORMAN S. NELMS WHICH STATES THAT DIAZ' RECORDS HAVE BEEN REVIEWED AND IT WAS DETERMINED THAT HE IS ELIGIBLE TO PARTICIPATE IN THE CLEMENCY PROGRAM.

4. SINCE SUBJECT IS AN ALIEN AND REFERENCED INSTRUCTIONS STATE CLEARLY

THAT THE PROGRAM DOES NOT APPLY TO ALIENS WHO ARE INELIGIBLE UNDER SECTION 212(A)(22) OF THE ACT THE CONSULAR SECTION IS UNABLE TO DOCUMENT

DIZA FOR RETURN TO THE U.S. THERE IS, HOWEVER, A POSSIBILITY THAT SUBJECT COULD BE DOCUMENTED FOR RETURN BY THE DEFENSE ATTACHE'S OFFICE AS PROVIDED FOR IN 22 CFR 42.5(B).

5. PRIOR TO BEING TRANSFERRED FROM BOGOTA TO SANTO DOMINGO, THE CONSUL

GENERAL REQUESTED AN ADVISORY OPINION ON TWO SIMILAR CASES. THE EMBASSY BOGOTA WAS ADVISED THAT THE MATTER WOULD BE TAKEN UP WITH DOD. IF THE DEPARTMENT HAS RECEIVED INFORMATION FROM DOD WHETHER LEGAL RESIDENTS WHO DESERTED FROM THE ARMED FORCES CAN RETURN TO THE U.S. IT IS SUGGESTED A CIRCULAR INSTRUCTION BE SENT TO THE FIELD SINCE THERE MUST BE MANY SUCH CASES. INSTRUCTIONS ON HOW TO PROCEED WITH THIS CASE WOULD BE APPRECIATED SINCE ALIEN IS DESIROUS OF RETURNING TO U.S. AT EARLIEST POSSIBLE DATE.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 16 DEC 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974SANTO05096
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740364-0882
From: SANTO DOMINGO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741232/aaaabazs.tel
Line Count: 98
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SCSE
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 74 DEPT A-7591, 74 OCTOBER 15, 74 1974
Review Action: RELEASED, APPROVED
Review Authority: MorefiRH
Review Comment: n/a
Review Content Flags:
Review Date: 22 JUL 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <22 JUL 2002 by reddocgw>; APPROVED <15 JAN 2003 by MorefiRH>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CLEMENCY PROGRAM FOR VIETNAM ERA DRAFT EVADERS AND MILITARY DESERTERS
TAGS: CGEN, CVIS, CASC, CPAS
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005